

United States District Court  
for the District  
of Massachusetts

Michael T Keohane, et. AL

Plaintiffs

VS

Kathleen Dennehy, ET. AL

Defendants

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U.S. DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
JUL 27 2005 1:49  
CLERK'S OFFICE  
Civil Action  
No: 05-11230-JLT

Declaration of Michael T Keohane  
In Support of Plaintiffs Motion  
for T.R.O. And Preliminary Injunction

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I, Michael T Keohane, Hereby Declare That,


- ① The Defendants, on or about 11/26/04 Confiscated all pens (regular) from the 10 block and DDU Prisoners, due to an "isolated" incident UN-Related to any of the named plaintiffs and re-issued all segregation prisoners with "Rubber Pens" calling them "Security Pens".
- ② The new "Rubber Pens" are completely inadequate, and are only good to sign ones name. It is very difficult to write with and incapable of drafting extensive "legible" pleadings.
- ③ In order for me to draft this Declaration, I had to seriously alter the pen, rendering it contraband to get it to write somewhat effectively.

- ④ And the defendant cannot plead "security" because these "Rubber pens" can be used effectively as a weapon just as a "proper pen".
- ⑤ When I entered into the DDJ I learned the Superintendent had mandated a policy of attorney phone calls needing to be earned by good behavior. This is still the current policy, effectively limiting me to access with my attorney to discuss my current murder appeal pending in the SJC.
- ⑥ I am not allowed to call my attorney unless I have an earned "phone slip", which is only a (maximum) of 4 a month which also must be utilized to make personal calls.
- ⑦ I am not allowed to call my attorney on certain days or the times needed to catch her at the office.
- ⑧ I am only allowed to call my attorney during days and times mandated by the Superintendent, when "earned" phone calls are allowed to be exercised.
- ⑨ It is next to impossible for me to contact my lawyer during the early morning hours, which is the only time to reach her at her office.

- ⑩ In order to make an attorney call I am required to write a letter to The Superintendent's office and request permission to make such a call. This can take more than a week to receive an answer, if any is received at all.
- ⑪ If this request is approved I am subjected to wait for the phone to be brought to my cell at the officers leisure whenever he chooses to do so. If the attorney is not in the office at the time this call is placed and cannot get thru, I have to repeat this whole process over again to try another time. Which can take another week to be processed and I am subjected to the same handling of the call.
- ⑫ For the above stated reasons, this court should grant my motion for T.R.O and preliminary injunction.

Signed under the pains & penalties of Perjury.

Dated 6/30/05

  
Michael T. Kachare  
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